

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAMMY DYER,

Plaintiff,

Case No. 1:05cv480

v.

Hon. Robert J. Jonker

TERRY O'BRIEN,

Defendants.

ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on June 9, 2008. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed June 9, 2008, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that the habeas petition is **DENIED**.

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE

DATED: June 27, 2008.